

● PRINTER RUSH ●

(PTO ASSISTANCE)

Application : <u>09/939131</u>	Examiner : <u>Sieflke</u>	GAU : <u>1743</u>
From : <u>PAP</u>	Location : <u>(DC) FMF FDC</u>	Date : <u>9/15/05</u>
Tracking #: <u>EPM 09/939131</u> Week Date: <u>8/8/05</u>		

DOC CODE	DOC DATE	MISCELLANEOUS
<input checked="" type="checkbox"/> 1449	<u>3/2/05</u>	<input type="checkbox"/> Continuing Data
<input type="checkbox"/> IDS	_____	<input type="checkbox"/> Foreign Priority
<input type="checkbox"/> CLM	_____	<input type="checkbox"/> Document Legibility
<input type="checkbox"/> IIFW	_____	<input type="checkbox"/> Fees
<input type="checkbox"/> SRFW	_____	<input type="checkbox"/> Other
<input type="checkbox"/> DRW	_____	
<input checked="" type="checkbox"/> OATH	<u>1/25/02</u>	
<input type="checkbox"/> 312	_____	
<input type="checkbox"/> SPEC	_____	

[RUSH] MESSAGE: ① Please provide a clearer oath. Data illegible.

② Please provide a clearer copy of 1449 of 3/2/05 some data illegible.

Thank you

[XRUSH] RESPONSE: _____

See misc. comm

INITIALS: RSB

NOTE: This form will be included as part of the official USPTO record, with the Response document coded as XRUSH.
REV 10/04

**LANXESS Corporation****Fax Coversheet****Date:** October 12, 2005**Number of pages (including this page):** 10**To:** Ms. Rori Burch**From:** Diderico van Eyl**Company:** USPTO
Publication Branch**Div/Dept.:** Law/Intellectual Property**Fax:** 703-746-6830**Fax:** 412-809-1054**Phone:****Phone:** 412-809-2231**DOCKET NO.:** Mo-6954/LeA 34,826
SERIAL NO.: 09/939,131

Please find a copy of a Response, Notice to File Corrected Application Papers, Combined Declaration and Power of Attorney and Information Disclosure Statement w/attached Form PTO 1449..

If you have any questions please call.

ksl

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NOTICE OF CONFIDENTIALITY

The information contained in and transmitted with this facsimile may be confidential, subject to the attorney-client privilege, attorney work product, and/or exempt from disclosure under applicable law and is intended only for the individual or entity named above. If you are not the intended recipient, you are hereby notified that inadvertent disclosure of this information to you does not constitute a waiver of confidentiality or privilege and that any review, disclosure, copying, or use of the contents of the facsimile by you is prohibited. If you have received this facsimile in error, please immediately call the sender collect at the above phone number, so that we can arrange for the return of the original facsimile at our cost.

PATENT APPLICATION
Mo-6454
LeA 34,826

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF)	
THOMAS KLEIN ET AL)	GROUP NO.: 1743
SERIAL NUMBER: 09/939,131)	EXAMINER: SAMUEL P. SIEFKE
FILED: AUGUST 24, 2001)	
TITLE: POLYASPARTIC ACID CONCENTRATION DETERMINATION BY FLUOROMETRY)	

RESPONSE

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450


Sirs:

In response to the "Notice to File Corrected Application Papers" dated September 29, 2005, a discussion with Ms. Rori Burch on October 11, 2005, attached are the Oath/declaration and IDS/1449 as requested.

Having now complied with all of the requirements, Applicants request that the file be forwarded for publication.

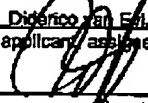
Respectfully submitted,

By


Didénico van Eyl
Attorney for Applicants
Reg. No. 38,641

LANXESS Corporation
Law & Intellectual Property Dept.
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Pittsburgh, Pennsylvania 15205-9741
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/ksl
S:\Law Shared\SHARED\DOE\PATENTS\6454\
Response 10-10-05.doc

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an enveloped addressed to: Commissioner for Patents, Alexandria, VA 22313-1450 or facsimile transmitted to the USPTO on the date below:

Didénico van Eyl, Reg. No. 38,641
Name of applicant, assignee or Registered Representative

Signature
October 12, 2005
Date



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/939,131	08/24/2001	Thomas Klein	MD-6454/LBA 34,826	2997
34947	7590	09/29/2005		
LANXESS CORPORATION 111 RIDC PARK WEST DRIVE PITTSBURGH, PA 15275-1112				
EXAMINER SIEPKE, SAMUEL P				
ART UNIT		PAPER NUMBER		
1743				

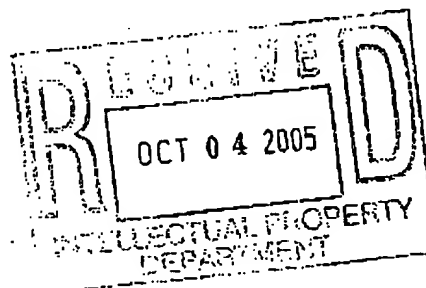
DATE MAILED: 09/29/2005

DE

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETEDBy: KPDate: 10/5/05

Approved: _____



**UNITED STATES PATENT AND TRADEMARK OFFICE**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Serial Number
09939131

Date Mailed
9/29/05

NOTICE TO FILE CORRECTED APPLICATION PAPERS***Notice of Allowance Mailed***

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 30 days from the mail date of this Notice within which to correct the informalities indicated below. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136 (a) or (b).

- Oath/declaration is illegible.
- IDS/1449 file March 2005, is illegible.

APPLICANT MUST SUPPLY MISSING INFORMATION WITHIN 30 DAYS OF THE MAIL DATE OF THIS NOTICE.

A copy of this notice **MUST** be returned with the reply. Please address response to Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

A handwritten signature in black ink, appearing to read "Reid Burch", is written over a horizontal line.

Reid Burch
USPTO
Publishing Division
Fax (703) 746-6830
Fax (703) 308-6642

COMBINED DECLARATION AND POWER OF ATTORNEY

ATTORNEY DOCKET NO

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Polyaspartic acid concentration determination
by fluorometry

the specification of which is attached hereto,

or was filed on August 24, 2001 as

Application Serial No. 09/939,131

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s), the priority(ies) of which is/are to be claimed:

10042498.8
(Number)

Germany
(Country)

August 30, 2000
(Month/Day/Year Filed)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose the material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

LEA 34826-US

ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute the application and to transact all business in the Patent and Trademark Office connected therewith:

JOSEPH C. GIL, Patent Office Registration Number 26,602 ARON PREIS, Patent Office Registration Number 29,426
 LYNDANNE M. WHALEN, Patent Office Registration Number 29,457 THOMAS W. ROY,
 Patent Office Registration Number 29,582 RICHARD E. L. HENDERSON, Patent Office Registration Number 31,619
 GODFRIED R. AKORLI, Patent Office Registration Number 28,779 N. DENISE BROWN, Patent Office
 Registration Number 36,097 NOLAND J. CHEUNG, Patent Office Registration Number 39,138
 DIDERICO VAN EYL, Patent Office Registration Number 38,641 CAROLYN M. SLOANE, Patent Office
 Registration Number 44,339 JAMES R. FRANKS, Patent Office Registration Number 42,552
 JACKIE ANN ZURCHER, Patent Office Registration Number 42,251
 RAYMOND J. HARMUTH, Patent Office Registration Number 33,896
 all of Bayer Corporation, Pittsburgh, Pennsylvania 15205-9741

Send Correspondence To:
 Patent Department
 Bayer Corporation
 100 Bayer Road
 Pittsburgh, Pennsylvania 15205-9741

Direct Telephone Call

(412) 777-2349

FULL NAME OF SOLE OR FIRST INVENTOR Thomas KLEIN		INVENTOR'S SIGNATURE <i>Thomas Klein</i>	DATE 27.11.01
RESIDENCE 50678 Köln, Germany		CITIZENSHIP German	
POST OFFICE ADDRESS Biberstr. 26, 50678 Köln, Germany			
FULL NAME OF SECOND INVENTOR Thomas KLAUSA		INVENTOR'S SIGNATURE <i>Thomas Klaus</i>	DATE 12.12.01
RESIDENCE 69234 Horrenberg, Germany		CITIZENSHIP German	
POST OFFICE ADDRESS Ortsstr. 34, 69234 Horrenberg, Germany			
FULL NAME OF THIRD INVENTOR Andreas ELSCHNER		INVENTOR'S SIGNATURE <i>Andreas Elschner</i>	DATE 28.11.01
RESIDENCE 45479 Muelheim, Germany		CITIZENSHIP German	
POST OFFICE ADDRESS Lederstr. 6, 45479 Muelheim, Germany			
FULL NAME OF FOURTH INVENTOR Ralf-Johann MORITZ		INVENTOR'S SIGNATURE <i>Ralf-Johann Moritz</i>	DATE 22.11.01
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POST OFFICE ADDRESS St. Andreas-Str. 20, 41469 Neuss, Germany			
FULL NAME OF FIFTH INVENTOR Monika CORDES		INVENTOR'S SIGNATURE <i>Monika Cordes</i>	DATE 03.12.01
RESIDENCE 51373 Leverkusen, Germany		CITIZENSHIP German	
POST OFFICE ADDRESS Hauptstr. 91, 51373 Leverkusen, Germany			

PATENT APPLICATION
Mo-6454
LeA 34,826

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION OF)
THOMAS KLEIN ET AL)
SERIAL NUMBER: 09/939,131)
FILED: AUGUST 24, 2001)
TITLE: POLYASPARTIC ACID)
CONCENTRATION DETERMINATION)
BY FLUOROMETRY)

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. 1.97(b)**

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

This disclosure statement under 37 CFR 1.97 & 1.98 is submitted before the first Office Action in order that the Patent and Trademark Office may consider the relevancy of certain information to the invention described and claimed in the subject application, and in compliance with the regulations concerning information disclosure statements. Enclosed are copies of the following:

- a) the Search Report received in the corresponding application pending in the International Patent Office; and

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on February 4, 2002

Date

Richard E. J. Henderson, Reg. No. 31,619

Name of applicant, assignee, or
Registered Representative

Richard E. J. Henderson

Signature

February 4, 2002

Date

- b) the documents cited by the International Patent Office in the Search Report and a corresponding English language equivalent, (except for documents previously submitted) listed on the attached Form PTO 1449.

This Information Disclosure Statement should not be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, that any reference mentioned herein constitutes prior art, or that the references listed, severally or in any combination with one another or with any other information, are believed to render any claim in the subject application prima facie unpatentable.

Respectfully submitted,

By Richard E. L. Henderson
Richard E. L. Henderson
Attorney for Applicants
Reg. No. 31,619

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Mo6454

- 2 -

Sheet 1 of 2

Form PTO 1449 Rev. 7-80	U.S. Department of Commerce Patent and Trademark Office LIST OF PRIOR ART CITED BY APPLICANT (Use Several Sheets if Necessary)	Atty. Docket No.	Serial No.
		Mo-6454/LeA 34,826	09/938,131
		Applicant Thomas Klein et al	
		Filing Date 08/24/01	Group

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	5,279,945	01/18/94	(Bel. to corresp. to EP Hammel)	478,549) 435	24	
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							Yes	No
	AL	0 785 422	07/23/97	European				
	AM	82/07087	04/30/92	World Patent				
	AN	2 152 937	08/14/85	Great Britain				
	AO							
	AP							

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR	
	AS	
	AT	

EXAMINER	DATE CONSIDERED
EXAMINER Initial if references considered, whether or not citation is in conformance with MPEP 609; Draw line through if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Neither English Language Equivalent nor an English Language Translation is available.

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Sheet 2 of 2

Form PTO 1449 Rev. 7-80 U.S. Department of Commerce Patent and Trademark Office LIST OF PRIOR ART CITED BY APPLICANT (Use Several Sheets if Necessary)	Atty. Docket No. Mo-6454/LeA 34,826	Serial No. 09/939,131
	Applicant Thomas Klein et al	
	Filing Date 08/24/01	Group

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	4,813,973	08/13/89	Winnik et al	8	647	
	AB	4,839,461	08/13/89	(Bel. to corresp. to EP Boehmke	256,366) 528	383	
	AC	5,128,419	07/07/92	(Bel. to corresp. to EP Fong et al	475,602) 525	351	
	AD	5,282,864	03/08/94	(Bel. to corresp. to WO Wood et al	94/03528) 528	490	
	AE	5,408,028	04/18/95	Wood et al	528	328	
	AF	5,484,860	01/16/96	Wood et al	525	432	
	AG	5,543,490	08/06/96	(Bel. to corresp. to EP Groth et al	604,813) 528	328	
	AH	5,488,088	01/30/96	Wood et al	525	432	
	AI	5,493,004	02/20/98	(Bel. to corresp. to EP Groth et al	650,995) 528	363	
	AJ	5,594,077	01/14/97	(Bel. to corresp. to EP Groth et al	650,995) 525	451	
	AK						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							Yes	No
	AL	0 485 882	05/20/92	Europe				
	AM							
	AN							
	AO							
	AP							

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR	
AS	
AT	
EXAMINER	DATE CONSIDERED
EXAMINER Initial if references considered, whether or not citation is in conformance with MPEP 609: Draw line through if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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